

OFFICE OF SOIL AND WATER CONSERVATION
STATE SOIL AND WATER CONSERVATION COMMISSION

APRIL 27, 2010
1:15 PM

VETERANS' MEMORIAL AUDITORIUM
5825 FLORIDA BOULEVARD
BATON ROUGE, LOUISIANA

PROCEEDINGS/MINUTES

CALL TO ORDER

The regular monthly Commission meeting was called to order by Chairman Fletcher at 1:15 P.M. and asked Mr. Colvin to give the invocation.

Chairman Fletcher asked everyone to stand and pledge allegiance to the flag of the United States of America.

ROLL CALL

The roll was called by Laura Edwards.

Members present: Chairman Randell Fletcher, Ernest Girouard, Ed Yerger, John Compton, Garland Colvin and George Guillory

Members absent: None
A quorum was present.

Others Present: Kevin Norton, USDA-NRCS State Conservationist; Dwight Landreneau, LSU Ag Center; Brad Spicer, LDAF/SSWCC Executive Director; Joey Breaux, LDAF-OSWC; Laura Edwards, LDAF-OSWC, Butch Stegall, LDAF-OSWC; Sherrill Sagrera, Vermilion SWCD and Gay Colvin, Shreveport, LA.

APPROVAL OF THE MINUTES

Chairman Fletcher called for a motion to approve the minutes of the March 23, 2010 State Commission meeting.

Motion: Mr. Guillory made a motion to approve the minutes from the March 23, 2010 Commission meeting. The motion was seconded by Mr. Colvin and passed unanimously.

NRCS State Conservationist Report

Chairman Fletcher said that Mr. Norton had a meeting with Commissioner Strain and would need to leave the State Commission meeting early, so he asked Mr. Norton to give the NRCS report first.

While handing out the *NRCS Louisiana Conservation Update*, Mr. Norton said that he enjoyed the fellowship at the Egg Breakfast hosted by the Louisiana Egg Commission prior to the Conservation Stewardship proclamation signing ceremony. He said he appreciated being invited to participate in the ceremony and the proclamation signing at the State Capitol House Garden Plaza Thursday, April 22nd. He said this was the first conservation ceremony held at the capitol in recent years. Mr. Norton said the conservation partnership was well represented and everyone works so well together resulting in a great event. He said there were representatives from Soil and Water Conservation Districts, Louisiana Association of Conservation Districts, Office of Soil and Water Conservation, NRCS staff from throughout the state, LSU AgCenter

representing the science and research communities, plant materials specialists and other conservationists attending the ceremony. He said we were all there to celebrate the 75th anniversary of the NRCS and the 72nd anniversary of the Soil and Water Conservation Districts, and for Commissioner Strain to proclaim April 25-May 2, 2010 as CONSERVATION STEWARDSHIP WEEK in Louisiana. He said these agencies accomplished a lot of conservation work because they all worked together for the common goal of conserving Louisiana's natural resources. Mr. Norton thanked Mr. Spicer and his staff, Chairman Fletcher and Dr. Girouard for allowing NRCS to participate in the ceremony. Mr. Spicer said that Mr. Norton and his staff played a major role in planning and conducting the ceremony.

Mr. Norton said recent vacancies on his staff created by the retirements of Mr. Ron Marcantel, Mr. Ed Giering and Mr. Steve Carmichael were filled by Ms. Sara Haymaker, Mr. Brad Sticker and Mr. Scott Edwards.

Mr. Norton said he attended a locally led meeting hosted by the Gulf Coast SWCD, it was a coastal resources meeting that held an Earth Team Sponsor Appreciation Day. He said that there were many different sponsors representing private businesses, radio stations, and others. Mr. Norton said the sponsors donated paper goods, food and other items needed by the Earth Team. He said it was rewarding to see so many people of all walks of life working together to solve conservation issues.

Mr. Norton said several districts have inquired about getting additional funds. He said that at this time he only has \$180,000 that is not obligated out of a \$100 million dollar budget. Mr. Norton said that at this point he can not provide additional funds, but if they are very conservative in their spending that there could possibly be some limited funds available toward the end of their fiscal year to add to the current Farm Bill Cooperative Agreement. He said he received a letter from the Tensas-Concordia SWCD that had some very good suggestions that NRCS is considering for next year. He said that he had received letters from the Iberia and Gulf Coast SWCDs concerning the formula used to calculate the Farm Bill allocations for the districts. He said he sent a copy of his response to the State Commission and OSWC. Chairman Fletcher asked if the funding amounts contained in the 2008 Farm Bill are guaranteed or mandatory amounts. Mr. Norton said that amounts placed in the Farm Bill are mandatory unless congress decides to move the amount of growth funds elsewhere and that congress has already taken the growth amount and redistributed to another program. He said that only in the 2002 and 2008 Farm Bill did they receive the full amount.

Mr. Norton said in addition to EQIP/WHP they plan to include workloads for the Conservation Stewardship Program and maybe WRP as well in the allocation calculations for the next Farm Bill Cooperative Agreement.

Mr. Norton said this concluded his report and again he wanted to thank everyone for their hard work.

UNFINISHED BUSINESS

Chairman Fletcher said they would next take up Unfinished Business and requested Mr. Spicer to report on the items listed on the agenda.

SWCD Farm Bill Implementation Report

Mr. Spicer said that the 2010 Farm Bill Cooperative Agreement began April 1, 2010 and would end March 31, 2011. He said the new agreement information has been set up in the electronic reporting system and they are prepared to start receiving and entering district earning reports. He said the allocation formula has been changed and the NRCS staff has done a good job of explaining the changes in the new formula. Mr. Spicer said the new formula does a better job capturing the amount of work that the district does in implementing the various Farm Bill tasks. He said that they closed out the 2009 Farm Bill with only a few thousand dollars left unearned

by a couple of districts. Mr. Spicer said they will sweep the surplus funds and reallocate them in early May.

2010 Regular Session of the Legislature

Mr. Spicer said that there are currently five bills dealing with surface water use being debated in the legislature. He said House Bill (HB) 926 by Representative Little and Senate Bill 723 by Senator Kostelka both confirm current state law regarding riparian water rights. He said HB 926 also states the riparian owner may share water with adjacent landowners and that the state can not charge any fees for such use. Mr. Spicer said that HB 1449 by Representative Fannin also confirms riparian owner's rights to use surface water for agriculture or aquaculture; the riparian owner can assign access rights by non-riparian owners and it prohibits any state fees from being charged for such usage. Mr. Spicer said LDAF supports this bill or any other bill that provides free access to surface water for riparian and adjacent landowners for agricultural and aquacultural uses. Mr. Spicer said HB 1375 by Representative Abramson also provides for the right of use of running water for the adjacent landowners but extends the use to production of minerals. He said HCR 1 authored by Representative Fannin and others requests the State Ground Water Resources Commission to prepare a report on the state's groundwater and surface water resources and provides recommendations for the management and protection of the state's water resources and that the Commission is to report to the state legislature no later than March 1, 2011.

Mr. Spicer said HR 31 by Representative Andy Anders recognizes the 75th anniversary of the NRCS and the 72nd anniversary of the State Soil and Water Conservation Commission and Conservation Districts. He said it further proclaims April 25 – May 2, 2010 as Conservation Stewardship Week. He said a similar resolution SR 32 by Senator Francis Thompson was also passed by the Louisiana Senate.

Mr. Spicer said that there are two other bills that warrant being followed. He said HB 310 deals with the prohibition of the state or its political subdivisions from entering into agreements with federal agencies that would allow for the expropriation of wetlands and other natural habitats for mitigation. He said this bill, if passed in its present form, could cause serious problems with NRCS water resources projects. He said that he has discussed this with the Governor's staff and they are working on trying to amend the bill so it would not adversely impact future federal projects. Mr. Spicer said SB 788 proposes to enact the Louisiana Professional Geoscience Practice Act. He said if it is passed in its present form it would exclude federal and state scientists from having to be licensed including NRCS Soil Scientists, but when they leave state or federal services they would not be permitted to continue to practice their profession without being licensed by the state.

Mr. Spicer said that this concluded his Legislative Report.

District Supervisors' Election June 12, 2010

Chairman Fletcher asked Ms. Edwards to give the report. Ms. Edwards said that only nine nominating petitions have been received by the State Office for the supervisors' election. She said it seems that most nominees wait late in the nominating period to complete their petitions. She said that she has been in contact with all 44 SWCD offices reminding them of the April 30th deadline for the petitions and to assist them with other elements of the election process. Ms. Edwards said that more than one petition was given out in the Boeuf River, Vermilion and the Lafourche-Terrebonne SWCDs. She said there is the possibility that these three districts will be holding elections.

Ms. Edwards said included in the Commission's folders is a list of the district supervisors whose term expires June 30th and are therefore up for re-election. She said as of today, there are six districts whose current supervisors chose not to run for re-election. She said as of today in the six districts, Caddo, Catahoula and Dugdemona SWCDs have had no one request a petition.

She said Lower Delta, St. Martin and St. Mary SWCDs have indicated that they have had at least one person request a nominating petition. She said these three districts do plan for the completed petitions to be submitted to the State Commission by April 30th.

Mr. Spicer said that he will work with those districts with more than one petition submitted to provide guidance to the districts to ensure that they are prepared for the election in regards to selecting polling locations and polling commissioners and that proper public announcements are made prior to the election. He said that he would also contact those districts that are having difficulty in getting candidates to complete nominating petitions.

Ms. Edwards said in the Commission's folders is a letter from the Tensas-Concordia SWCD board of supervisors requesting that the State Commission waive the attendance requirement for Mr. Jon Hardwick, whose elected position term expires June 30, 2010. She said that the letter from the Tensas-Concordia board stated that Mr. Hardwick's absences were caused by extenuating circumstances and scheduling conflicts with other conservation meetings and his job, but he has since changed his schedule and will be able to attend the board meetings on a regular basis.

Chairman Fletcher asked the Commission if they wanted to take action on the waiver request.

Motion: Dr. Girouard made a motion to waive the attendance requirement for Mr. Jon Hardwick, elected position, Tensas-Concordia SWCD. The motion was seconded by Mr. Compton and passed unanimously.

Ms. Edwards said also in the Commission's folders is a letter from the Grant SWCD board of supervisors requesting the State Commission waive the attendance requirement for Mr. Charles Yerby, whose elected position term expires June 30, 2010. She said the board's letter stated that Mr. Yerby's absences were caused by an illness, but now he will be able to attend the board meetings on a regular basis. She said that the Grant SWCD board stressed in their letter that Mr. Yerby is a valuable, hands-on farmer and a great asset to the Grant SWCD board.

Chairman Fletcher asked the Commission if they wanted to take action on the waiver request.

Motion: Mr. Compton made a motion to waive the attendance requirement for Mr. Charles Yerby, elected position, Grant SWCD. The motion was seconded by Mr. Guillory and passed unanimously.

NEW BUSINESS

Correspondence

Chairman Fletcher asked Mr. Spicer to report on the agenda items under Correspondence.

Mr. Spicer said the first items are copies of letters from Chairman Fletcher to the Acadia and the Vermilion Police Juries thanking them for passing a resolution requesting that the Louisiana Legislature not make further cuts to the State's Soil and Water Conservation Program. He said the two resolutions also requested that the legislature increase the Conservation Program funding when the level of state revenues improve.

Mr. Spicer said next is a copy of a letter from NRCS State Conservationist Mr. Kevin Norton to Mr. Darrell Judice, Chairman of the Iberia SWCD. He said the letter is in response to Mr. Judice's inquiry into the Farm Bill Cooperative Agreement Allocation Formula. Mr. Spicer said that Mr. Norton gave a very good summary of the recent changes in the allocation formula in his NRCS report and in this letter. He said charts accompanying the letter to Mr. Judice shows how the total Farm Bill implementation workload is captured by the new formula.

Mr. Spicer said the next item is an email summarizing the lawsuits filed by rice growers in the six rice growing states against Bayer CropScience regarding damages they suffered as a result of genetically altered rice making its way into the commercial rice market. He said it appears that the issue surrounding genetic modification is a growing problem and goes beyond genetically altered rice.

Mr. Spicer said that the next email covers the LDAF's effort to make individuals aware that the state must monitor all cotton plants for boll weevil presence, including cotton grown for ornamental purposes. He said it is critical to make sure that all cotton grown is free of the insect. He said the state is on the threshold of eradicating the boll weevil.

Mr. Spicer said another email for review by the Commission members is an email regarding National Association of State Departments of Agriculture (NASDA)'s push to get EPA to withdraw their proposed draft guidance for off-target pesticide spray drift. He said they believe that the guidance will create significant problems for state regulators. He said in our case, the Louisiana Department of Agriculture and Forestry would have the responsibility for enforcing the guidance.

Mr. Spicer said the next item is a news release covering the LSU Alumni Association Hall of Distinction ceremonies held on April 16th where Commissioner Mike Strain was inducted along with Mr. Jeff Kleinpeter, President of Kleinpeter Farms. Chairman Fletcher said it is an honor to have Commissioner Strain and Mr. Kleinpeter receive such recognition and to have them represent Louisiana agriculture.

Mr. Spicer said that the last item is an email from Ms. Kathleen Nichols with LDWF thanking Mr. Joey Breaux for presenting a short course session at the 2010 Environmental Education Symposium. Mr. Spicer said according to the attendees' evaluation sheets attached to the letter Mr. Breaux's workshop was very beneficial to the participants of the Environmental Education Symposium. Chairman Fletcher thanked Mr. Breaux for the work he does throughout the year and throughout the state regarding environmental education through Project WET and other educational events.

Mr. Spicer said that concluded the items under Correspondence.

Chairman Fletcher said if there were no questions they would take up the next agenda item.

Supervisor Resignations/Appointments and Reappointments

Chairman Fletcher asked Ms. Edwards to report on the resignations and appointments.

Ms. Edwards said the first letter is from Mr. Keith Matirne, elected supervisor, Lower Delta SWCD stating that his current term will expire June 30, 2010 and although he enjoyed serving on the board, he is not seeking re-election.

Ms. Edwards said the next letter is from the St. Mary SWCD stating they received a letter of resignation effective March 16, 2010 from Mr. Anthony Boudreaux, an elected supervisor whose current term will expire June 30, 2010. She said the letter also stated that Mr. Boudreaux had served on the St. Mary board for more than twenty-three years.

Ms. Edwards said the next letter is from Mr. Claude McMillan, appointed supervisor, Dugdemona SWCD, stating that he will resign May 11, 2010. She said Mr. McMillan had served on the board for fourteen years.

Ms. Edwards said the next letter is from Mr. Billy Gaines, elected supervisor, Dugdemona SWCD stating that he is resigning from his elected position on the board in order to be

appointed into the vacant appointed position of Mr. Claude McMillan. She said Mr. Gaines' current elected position will expire June 30, 2010.

Mr. Guillory asked if possibly the reason for so many supervisor resignations could be the Personal Financial Disclosure requirements by the Louisiana Board of Ethics? Mr. Spicer said it could be, but he thought it more likely that many of these supervisors are resigning for other reasons and that the current number of resignations is close to the annual average number of resignations.

Chairman Fletcher asked for a motion to accept the resignations of Mr. Keith Matirne, Mr. Anthony Boudreaux, Mr. Claude McMillan and Mr. Billy Gaines.

Motion: Mr. Colvin made a motion to accept the resignations of Mr. Keith Matirne, elected supervisor, Lower Delta SWCD; Mr. Anthony Boudreaux, elected supervisor, St. Mary SWCD; Mr. Claude McMillan, appointed position, Dugdemona SWCD and Mr. Billy Gaines, elected position, Dugdemona SWCD. The motion was seconded by Mr. Guillory and passed unanimously.

Ms. Edwards said the respective conservation districts are requesting the State Commission to appoint the following supervisors to a new term in office:

Crescent SWCD, Dr. Thomas Vitrano reappointed to fill his expired appointed position. Term will begin June 21, 2010 and will expire on June 21, 2013.

Dugdemona SWCD, Mr. Billy Gaines appointed to fill unexpired appointed position of Mr. Claude McMillan. Term will begin May 11, 2010 and will expire on March 25, 2012.

Gulf Coast SWCD, Dr. Harold Aymond reappointed to fill his expired appointed position. Term will begin June 11, 2010 and will expire on June 11, 2013.

Lafourche-Terrebonne SWCD, Mr. Roland Bourgeois reappointed to fill his expired appointed position. Term will begin June 11, 2010 and will expire on June 11, 2013.

Natchitoches SWCD, Mr. Sidney Evans reappointed to fill his expired appointed position. Term will begin June 26, 2010 and will expire on June 26, 2013.

Plaquemines SWCD, Mr. Lawrence Rousselle reappointed to fill his expired appointed position. Term will begin May 28, 2010 and will expire on May 28, 2013.

St. Mary SWCD, Mr. Dan Hidalgo appointed to fill unexpired appointed position of Mr. Theron Casselman. Term will begin April 27, 2010 and will expire on June 25, 2010.

St. Mary SWCD, Mr. Edward Payton, III appointed to fill unexpired elected position of Mr. Anthony Boudreaux. Term will begin April 27, 2010 and will expire on June 23, 2010.

Chairman Fletcher asked for a motion to accept the supervisor appointments.

Motion: Mr. Guillory made a motion to approve the appointments of supervisors Dr. Thomas Vitrano, appointed position, Crescent SWCD; Mr. Billy Gaines, appointed position, Dugdemona SWCD; Dr. Harold Aymond, appointed position, Gulf Coast SWCD; Mr. Roland Bourgeois, appointed position, Lafourche-Terrebonne SWCD; Mr. Sidney Evans, appointed position, Natchitoches SWCD; Mr. Lawrence Rousselle, appointed position, Plaquemines SWCD; Mr. Dan Hidalgo, appointed position, St. Mary SWCD and Mr. Edward Payton, III, elected position, St. Mary SWCD. The motion was seconded by Mr. Compton and passed unanimously.

Conservation Stewardship Week

Chairman Fletcher said that they held a Conservation Stewardship ceremony at the State Capitol on Earth Day, April 22nd. He said that they were invited to hold the ceremony in conjunction with the Louisiana Egg Commission Breakfast. He said that all the State Soil and Water Conservation leadership attended the event and made brief presentations before a group of legislators and State Capitol, NRCS and LDAF employees. Chairman Fletcher said it was one of the best Soil and Water Stewardship events he had attended. He said Commissioner Strain conducted the ceremony then read and signed the proclamation proclaiming April 25 – May 2, 2010 as Conservation Week. Chairman Fletcher said that in addition to him, Mr. Kevin Norton, Mr. Earl Garber, Dr. Ernest Girouard and Dr. Paul Coreil all made presentations regarding the efforts by the NRCS and districts to control soil erosion and to protect and conserve the nation's soil and water resources over the past 75 years. He said that without the work of the conservation partners, huge sections of our nation would likely be a barren wasteland. Chairman Fletcher said that he recommends that the proclamation be made an addendum to the April 27, 2010 Commission minutes.

Dr. Girouard said that he thought the ceremony was outstanding and that we should make an effort to do it again next year and to increase the participation of the SWCDs.

OTHER BUSINESS

Chairman Fletcher asked if there was any other business to come before the Commission.

Mr. Landreneau said that DNR Secretary Mr. Scott Angelle was the 2010 National Winner of the Epsilon Sigma Phi Friend of Extension Award for his outstanding public service and support of extension programs, especially the 4-H Youth Wetlands Program. He said that Ms. Ann Keene was inducted in the National 4-H Hall of Fame. Mr. Landreneau said that Louisiana has only had six persons inducted in the National Hall of Fame.

Mr. Landreneau said that over 12,000 persons visited Ag Awareness/Ag Magic held last weekend in conjunction with Earth Day. He said the Ag Magic event was outstanding and in his opinion a much better event than last year. He said Ag Magic provides opportunities for attendees, especially young children, to learn about many aspects of agriculture by seeing and touching and to learn about how and from where their food products come. He said the wetland exhibit was excellent. Dr. Girouard said that he knew of eight SWCDs that attended Ag Magic and they were impressed with the exhibits.

Mr. Landreneau said the AgCenter continues to struggle with budget cuts and they are looking at the possibility of combining programs and to implementing other cost reduction measures.

Mr. Landreneau said that Dr. Paul Coreil wanted to thank Mr. Spicer and the Commission for the invitation to be a part of the 75th anniversary celebration of NRCS and the 72nd anniversary of the Soil and Water Conservation Districts at the capitol on April 22, 2010.

NEXT MEETING

Chairman Fletcher said the next State Commission Meeting is scheduled for 1:15 PM Tuesday, May 26, 2010 in the Veterans' Memorial Auditorium, 5825 Florida Boulevard, Baton Rouge, Louisiana.

PUBLIC COMMENTS

Chairman Fletcher asked if there was any other business or comments.

Mr. Sherrill Sagrera, Vermilion SWCD supervisor said that he had attended some meetings of the Southwest Coastal Study Group and with the Corps of Engineers and other groups. Mr.

Sagrera said these groups were not focusing on the damage done to rice production or the value of the lost rice production to the agriculture economy. He said they were not including the impact of the damage salt water intrusion has on the rice production in that area of the state when making decisions. He said they were not looking at agriculture as an economic factor and asked if the State Commission or Commissioner Strain could stress the fact that rice is an important economic factor in agriculture. Mr. Sagrera said that when they spoke to the Lt. Colonel of the Army Corps of Engineers, he said "If you can't grow rice in Vermilion Parish, you can grow it elsewhere". Mr. Sagrera said there are people making new legislation regarding land use who do not understand how land is used and that is why he is asking the Commission for assistance. Mr. Sagrera said farmers do not want to see agriculture land replaced with commercial and urban development.

Mr. Spicer asked Mr. Sagrera to provide him with detailed specifics and he would speak to the groups and Commissioner Strain. Mr. Spicer said the Commission would put the impact of agriculture in SW Louisiana on the Commission's May agenda providing the Commission is provided specific issues and the individual or groups that need to be contacted regarding the problem or issues.

Chairman Fletcher asked if there were any other comments and there were none.

ADJOURNMENT

Chairman Fletcher said if there was no other business that he will accept a motion to adjourn.

Motion: Mr. Guillory made a motion to adjourn at 2:40 P.M. The motion was seconded by Dr. Girouard and passed unanimously.

/s/ *Randell Fletcher*

Randell Fletcher, Chairman
State Soil and Water Conservation Commission